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Attorney For Plaintiff CRAIG YATES, an individual,

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

CRAIG YATES, an individual,)	CASE NO. CV-09-5293-CW
)	
Plaintiff,)	STIPULATION OF DISMISSAL AND
)	ORDER THEREON
)	
v.)	
)	
385 BEL MARIN COMMERCIAL)	
BUILDING a.k.a., LESLIE C.)	
JACOBSON, TRUSTEE OF THE LESLIE)	
C. JACOBSON REVOCABLE INTER-)	
VIVOS TRUST AGREEMENT DATED)	
JUNE 18, 1991,)	
)	
Defendants.)	
)	

The parties, by and through their respective counsel, stipulate to dismissal with prejudice of this action in its entirety with prejudice pursuant to Fed.R.Civ.P.41(a)(2). Outside of the terms of the Settlement Agreement and General Release (“Agreement”) herein, each party is to bear its own costs and attorneys’ fees. The parties further consent to and request that the Court retain jurisdiction over enforcement of the Agreement. See Kokonon v. Guardian Life Ins. Co., 511 U.S. 375 (1994) (empowering the district courts to retain jurisdiction over enforcement of settlement agreements).

1 Therefore, IT IS HEREBY STIPULATED by and between parties to this action through
2 their designated counsel that the above-captioned action become and hereby is dismissed with
3 prejudice pursuant to Federal Rules of Civil Procedure 41(a)(2).

4 This stipulation may be executed in counterparts, all of which together shall constitute
5 one original document.

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7 Dated: July 19, 2012

THOMAS E. FRANKOVICH
A PROFESSIONAL LAW CORPORATION

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9 By: /s/ Thomas E. Frankovich
10 Thomas E. Frankovich
Attorney for CRAIG YATES, an individual

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12 Dated: July 23, 2012

BOWLES & VERNA LLP

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14 By: /s/ Jeremy C. Berla
15 JEREMY C. BERLA
16 Attorney for 385 BEL MARIN COMMERCIAL
17 BUILDING a.k.a., LESLIE C. JACOBSON,
18 TRUSTEE OF THE LESLIE C. JACOBSON
19 REVOCABLE INTER-VIVOS TRUST
20 AGREEMENT DATED JUNE 18, 1991

21 ORDER

22 IT IS HEREBY ORDERED that this matter is dismissed with prejudice pursuant to
23 Fed.R.Civ.P.41(a)(2). IT IS FURTHER ORDERED that the Court shall retain jurisdiction for the
24 purpose of enforcing the parties' Settlement Agreement and General Release should such
25 enforcement be necessary

26 Dated: October 17, 2012

27 
28 Honorable Judge Claudia Wilken
UNITED STATE DISTRICT JUDGE